

## **Truro Board of Selectmen Meeting**

### **Tuesday, July 10, 2007-6:00 pm**

**Members Present:** Chairman Fred Gaechter, Vice-Chairman Gary Palmer, Clerk-Christopher R. Lucy, Jan Worthington, Curtis Hartman

**Present:** Town Administrator Pamela T. Nolan, Steve Desroche-Cape Codder reporter, Kevin Mullaney-Provincetown Banner reporter, Mary Ann Bragg-Cape Cod Times, Susan Travers, Eliza Harned, Carol Nickerson, Charlie Zehnder, Caroline Herron, Eric Jansen, Brenda Boleyn, Susan Kadar, Maureen Cronin, Mr. Cronin, Ron Burton, Curtis Graham, Fernando deSousa, Peter VanStratum, David Foster, Linda Maloney, Chief John Thomas, Mimi Thomas, Provincetown Selectmen Pam Parmakian, Provincetown Selectmen Austin Knight, Town Manager Sharon Lynn, Provincetown Selectmen Michele Couture, Provincetown Selectmen Lynne Davies, Kathy Meads, Supt. David Guertin, Girard Smith, Sgt. David Perry, Sgt. Kyle Takakjian, Lt. John Lundborn, Alan Efromson, Rebecca Bruyn, Officer Nick Ambrosini, Regan McCarthy

**Regular Meeting Convened at 6:00 pm-**Meeting convened at 6:00 pm by Chairman Gaechter. Mr. Gaechter informed the Board the Provincetown Board of Selectmen would be arriving as soon as their meeting was over.

#### **Review/Approve Minutes**

**June 26, 2007**

**Gary Palmer moved to approve the minutes of the regular and Executive Session minutes of June 26, 2007 and hold the Executive Session minutes in abeyance, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

#### **Public Comment Period**

No Comment.

#### **Public Hearing: Common Victualar License for Blackfish, Eric Jansen**

The Chairman opened the Public Hearing for owner Eric Jansen for Blackfish, 17 Truro Center Road. Eric Jansen appeared before the Board to answer questions pertaining to his new business. Gary Palmer asked if the number of seats in the restaurant would change. Mr. Jansen intends to keep the seating at eighty three seats. Chief Thomas has reviewed the liquor license application and found nothing which would cause him to recommend against the issuance of this license. Mr. Jansen informed the Board he will be applying for an entertainment license in the future. Ms. Nickerson asked if the restaurant had completed a team inspection. Mr. Jansen has delayed the team inspection until all of his new equipment is installed. **Fred Gaechter moved to approve the common victualar license for Blackfish, Eric Jansen, mgr., 17 Truro Center Road contingent upon the success of the team inspection, seconded by Gary Palmer. Vote: 5-0, unanimous.**

#### **Reappointment of Boards/Committees**

**Gary Palmer moved to approve the following applicants for reappointment:**

**Girard F. Smith, Commission on Disabilities**

**John Thornley, Council on Aging**

**Francis Johnson, Jr., Recreation Commission**

**Ansel Chaplin, Tercentennial Celebration Committee**

**Ellen Schiereick, Alternate on Water Resources Oversight Committee**

**Seconded by Chris Lucy. Vote: 5-0, unanimous.**

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**Reappointment of Boards/Committees**

The Chairman informed the Board no action needed to be taken on Eric Morea and Dennis Mooney for the Pamet Harbor Commission. Rebecca Bruyn would be arriving late due to a prior engagement.

**Tercentennial Committee**

Maureen Cronin appeared before the Board about her appointment to the Tercentennial Committee. Ms. Cronin had managed a "First Night" in Dayton Ohio for two years and felt her experience would be helpful to our Truro Tercentennial Celebration in 2009. Jan Worthington, the liaison of the Tercentennial Committee welcomed Ms. Cronin and felt her experience would be most helpful. **Janet Worthington moved to approve Maureen Cronin's appointment to the Tercentennial Committee to fill an unexpired term until June 30, 2008, seconded by Gary Palmer. Vote: 5-0, unanimous.**

**Board of Assessors**

David Foster, chairman of the Board of Assessors was asked by the Board of Selectmen for a recommendation for the vacancy on his Board. John Hopkins and Paul J. Asher-Best were interviewed at the last regular meeting and their decision was postponed until the chairman could make a recommendation. Mr. Foster felt that in the past Mr. Asher-Best's had tried to micro-manage and had been critical of the assessing department and may not be the best choice for the BOA. John Hopkins has had years of experience in the construction business and his willingness to learn about the process would make him a beneficial member of the Board. The BOA unanimously voted for John Hopkins. **Gary Palmer moved to approve John Hopkins as an Alternate to the Board of Assessors with his term expiring on June 30, 2008, seconded by Curtis Hartman. Vote: 5-0, unanimous.** The Recording Secretary was directed to contact Mr. Hopkins to inform him of his appointment and to get sworn in by the town clerk.

**Planning Board**

William Golden has withdrawn his application to serve on the Zoning Board of Appeals due to his position on the Planning Board. Mr. Gaechter asked that the vacancy on the Z.B.A. be readvertised in the local newspaper.

**Discussion of Chapter 125 and Possible Adoption**

Ms. Nolan reported on the Massachusetts Health Reform Act and Section 125 plan pertaining to employer responsibilities. Effective July 1, 2007 Massachusetts employers with eleven or more full time employees will be required to provide access to health benefit plans on a pre-tax basis for employees who are age 18 and older and who are not eligible for the employer's contributory group health plans. The new contract needs to be signed by the Board. **Fred Gaechter moved to approve the adoption and signing of the Massachusetts Health Reform Act and Section 125 for non-full-time employees, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Joint Meeting with Provincetown Board of Selectmen on Pamet Lens Oversight Group**

The Town Manager and the Provincetown Selectmen Couture, Knight, Parkanian and Davies introduced themselves to the Truro Board of Selectmen. In Chairperson Mary Jo Avellar's absence, Provincetown Board of Selectmen Vice-Chair Couture spoke to the Truro Board on behalf of Provincetown. Ms. Couture reported with four new members of the Board of Selectmen and a new town manager, there have been many changes in Provincetown. Ms. Couture agreed with Truro that the joint meeting is long overdue and Provincetown is committed to being pro-active and cooperative in the partnership between Truro and Provincetown. Ms. Couture apologized for the misunderstanding and would like to move forward to protect the Pamet Lens and implement a complete plan. The Truro Board of Selectmen agreed and would like to put the past behind them and move forward with the inter-municipal water agreement.

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**Joint Meeting with Provincetown Board of Selectmen on Pamet Lens Oversight Group**

Provincetown and Truro members felt that posting meeting agendas and minutes in their respective town halls and on their websites would make the public more aware of P.L.O.G. and would enable better communication between the two towns. Gary Palmer is in the process of creating an agenda for the first meeting. Kevin Kuechler is Truro's representative was unable to attend and Kathy Meads is Provincetown's representative spoke on to the Board in a very positive manner on the two towns working together to protect the delicate Pamet lens. A representative from the National Park Service and support staff from the Provincetown Water Department should be invited to P.L.O.G. meetings for their input. It was agreed that water department staff would be available to P.L.O.G. for technical assistance. Ms. Couture invited the Truro Selectmen to a presentation given by Mr. White on the technical water system. The Board's agreed to meet by the end of August 2007, at that time there should be concrete data on the wells at North Unionfield. Both Boards agreed the public should be included in any and all discussions pertaining to water. It was agreed that the respective town manager/administrators would attend P.L.O.G. meetings as they found necessary. Gary Palmer agreed to report back to the Board after each PLOG meeting to keep them abreast of what is happening between the two towns as Selectmen Knight would be doing for the Provincetown Board.

**Highland Fest-Request for Waiver of Temporary Sign Fee**

America Corps requested a waiver of \$50.00 for the temporary sign application fee for the Highland Fest which was held on July 7 at the Highlands Center. **Fred Gaechter moved to waive the \$50.00 fee for the temporary sign application fee, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Discussion of Police Issues-Chief John J. Thomas**

Jan Worthington recused herself from the discussion. Chief Thomas read a statement (attached) to the Board of Selectmen explaining his position and how he felt about receiving a seventeen page fax concerning questions from Selectmen Lucy. Selectmen Lucy read his list of twenty-one questions (attached) and Chief Thomas answered the questioned (attached). Chief Thomas stated that he would support a town meeting article to remove the police department from the Commissioner's of Police (Board of Selectmen) and place the department under the authority of the Town Administrator. Mr. Gaechter and Mr. Palmer commented the Board of Selectmen may need to take a different approach and become more involved in requesting information and reports from the police department. It was agreed stronger and more open communication would be helpful. Chief Thomas informed the Board that if gasoline prices remain at the current price, the money that has been budgeted for 2008 is not going to cover the expenses. Ms. Nolan asked when the police department would expend all the gasoline money. Chief Thomas felt he would need more money in February or March.

**Reappointment of Boards/Committees****Energy Committee**

Rebecca Bruyn spoke to the Board concerning the Alternate position and her qualifications on the Energy Committee. The alternate position will expire June 30, 2008. Ms. Bruyn has been attending Energy meetings on a regular basis and would like to join the committee. **Fred Gaechter moved to approve Rebecca Bruyn's appointment to the Energy committee as an alternate to expire June 30, 2008, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Discussion on Maintenance Contract for Streetlights through Cape Light Compact**

The Cape Light Compact has awarded Republic Electric ITS with the maintenance contract for streetlights across Cape Cod. Republic ITS price per lamp per month reflects no increase from the existing FY07 rate (\$1.22 per lamp per month, 5 day response time) for the first year of the contract, and will increase with the Boston CPI each year during the three year contract. The Board of Selectmen are being asked to sign the Municipal Streetlight System Operation and Maintenance Agreement for Truro. **Gary Palmer moved to approve signing the Municipal Streetlight System Operation and Maintenance Agreement, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Annual Report to Alcoholic Beverage Control Commission**

The licensing agent has compiled information for the Alcoholic Beverage Control Commission for 2006 and has outlined in the report the number of licenses issued in the Town of Truro. There are two annual all alcohol licenses, six seasonal all alcohol, two annual all alcohol (package stores) and one all alcohol seasonal, and one seasonal wine and malt package store for a total of \$17,850.00. **Gary Palmer moved to approve the 2006 Annual Report to the Alcoholic Beverage Control Commission, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Approval of One Day Liquor License for the Pamet Harbor Yacht Club**

George Poulus, the Executive Director from the Pamet Harbor Yacht Club requested a one day liquor license for Sunday, July 15, 2007. **Fred Gaechter moved to approve the one day liquor license for the Pamet Harbor Yacht Club, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

**Town Administrator's Report**

Ms. Nolan received a thank you letter from New Hampshire National Guard for the support given to them during a recent National Guard Exercise by Chief Prada, Chief Thomas, Dispatch Supervisor Dyer and Gary Delius. The Flex bus will be running every forty-five minutes, seven days a week. The first bus will leave at 6:00 a.m. and the last bus of the day will depart at 8:15 p.m. A letter and report from Lower Cape Public Access Regionalization Group who has been meeting for the past two years to respond to Comcast's wish to end direct public access operation with contract renewals. A memo from Margo Fenn, Executive Dir. of the Cape Cod Commission asked the Town of Truro whether or not to pursue a Memorandum of Understanding with the Commission if so which options from the menu you would like to pursue. Mr. Hartman felt Tier 1 and Tier 4 should be referred to the planning board. Mr. Hartman also requested a meeting to be held with Town Counsel, the Building Commissioner, the town planner and the Board of Selectmen to discuss new construction in the National Seashore. The town needs guidance on the zoning bylaws and town counsel's interpretation of them. Ms. Nolan was directed to contact the chairman of the planning board about their next agenda and report back to the Board. An email from J. Muramoto, concerning the Cape Cod Bay No Discharge Area and Truro's support of it. The NDA working group would like to meet with the Board and provide a short presentation on the process for designating a NDA for CC Bay. Ms. Nolan was asked to set up the presentation for the Board. A memo from Charleen Greenhalgh outlining a disability ramp at the Concert Park was discussed. The ramp would need to be approximately ninety-one feet long which would provide handicap accessibility to the park.

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**Town Administrator's Report**

Funds will be needed to build the ramp and A.D.A. regulations need to be examined to determine what the town is required to provide. Ms. Nolan will be attending a pre-construction meeting in West Bridgewater on Thursday, July 12<sup>th</sup> to discuss the Community Center project. The signing of the Contract will be on the agenda for next week. Mr. Gaechter asked Ms. Nolan to mention the Truro Public Library will be holding their annual book sale on August 4<sup>th</sup> and does not want the sale to be interrupted by construction. Ms. Nolan will be holding interviews for the Harbormaster beginning on July 13<sup>th</sup>. Mr. Hartman asked for a timeline from Gary Delius concerning the website. Ms. Nolan will be in touch.

**Selectmen's Report and Liaison Reports**

**Gaechter-**Mr. Gaechter called the Postal Service concerning the future site of the North Truro Post Office. Possible sites are Sonny's gas station and property owned by Fred Sateriale and Michael Roderick on the corner of Highland Road and Shore Road. The representative from the postal service would have more information for Mr. Gaechter on Friday and Mr. Gaechter was asked to call then. Funds for the new post office will not disappear because this process has been delayed. Mr. Gaechter spoke at the annual meeting of the Truro Neighborhood Association meeting and gave them an update on what is happening in Truro.

**Lucy-No report**

**Palmer-**the Board of Health and the Conservation Commission's had made a joint sight visit to a property under review and worked out a common position on their respective concerns. Perhaps the "Shape of the Table" meetings are translating into something more active as we hoped they would.

**Worthington-No report**

**Hartman-**There is a new sign at Truro Central School on Route Six and Mr. Hartman wanted the Board to know Pam McNulty was responsible for the sign and worked extremely hard to make the sign a reality. A thank you also goes to the town administrator and Mr. Paul Morris.

**Next Meeting Agenda Items**

- **Potential meeting with the Planning Board, the building commissioner and town counsel**
- **Community Center contract to be signed**

**Executive Session**

At 8:15 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider personnel matters and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. Vote: 5-0, unanimous.

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**Alfred Gaechter, Chairman**

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**Gary Palmer, Vice-Chairman**

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**Christopher R. Lucy, Clerk**

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**Curtis Hartman**

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**Janet W. Worthington  
Truro Board of Selectmen**